

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-276-C

December 3, 2009

IN RE: Application of Budget PrePay, Inc.)	
d/b/a Budget Phone for Designation as an)	STIPULATION
Eligible Telecommunications Carrier)	
)	

This Stipulation is made by and among the Office of Regulatory Staff (“ORS”) and Budget Prepay, Incorporated d/b/a Budget Phone (“Budget”) (collectively referred to as the “Parties” or sometimes individually as “Party”).

WHEREAS, on July 8, 2009, Budget filed its Application requesting Designation as an Eligible Telecommunications Carrier;

WHEREAS, ORS has reviewed the Application and testimony of Greg Hough; and

WHEREAS, as a result of its investigations, ORS has determined that subject to the provisions set forth below, Budget’s Application for Designation as an ETC should be approved.

Budget Prepay, Incorporated d/b/a Budget Phone (“Budget”) is a certified CLEC that offers prepaid local exchange service and meets the facilities requirements identified in 47 CFR 54.201(f) for universal service funding by leasing the physical components of the telecommunications network necessary to provide the nine services identified in 47 CFR 54.201(d) (1) through its Commercial Agreements with AT&T South Carolina. In addition, Budget agrees to advertise the availability of supported services using media of general distribution.

The federal USF provides support to four programs, each administered by the Universal Service Administrative Company (“USAC”): (1) financial support to carriers serving high cost areas; (2) the E-rate program, which provides discounted services (local and long distance telephone service, Internet access, and internal connection) to eligible schools and libraries; (3) assistance to low income consumers (discounted installation and monthly telephone services; and (4) discounted service to rural health care providers.

Budget has requested ETC designation in wire centers located throughout the service area of AT&T South Carolina, a non-rural carrier. Additionally, Budget has limited its requested USF support to the federal USF low income support program. Budget certifies that all low income USF funding it receives will be used to provide a credit to its Lifeline and Link-up eligible customers, consistent with 47 CFR 54.403. Additionally, Budget agrees to offer Lifeline packages and Link-up service consistent with the rates, terms, and conditions contained in its tariff and will publish the availability of these same services on its website.

Budget agrees to include in its quarterly Quality of Service Report the number and justification of applications held for more than 30 days and the number and justification of applications that were denied. Budget will only seek direct low income support from the Federal Universal Service Fund for those lines provided through the use of its own facilities or through a combination of its own facilities and the leased facilities of another carrier. Budget also agrees to report quarterly the percentage of consumers sold Lifeline via resale versus via facilities-based sales.

Until modified by the Commission, Budget agrees to utilize TANF, Food Stamps, and Medicaid as the qualifying criteria for Lifeline and Link-up services throughout the AT&T South Carolina territory.

Budget agrees to provide Lifeline customers an additional \$3.50 credit in order that the federal matching monies can be maximized. This will yield a Lifeline credit of \$13.50 per month which is consistent with the credit offered throughout the AT&T South Carolina service area.

Budget agrees to provide a \$13.50 Lifeline credit to any bundle a customer chooses.

Budget agrees that it will abide by all advertising, reporting and verification requirements established by the FCC and the Commission.

Should Budget seek designation as an ETC for high cost support, Budget will file an additional and separate application with the Commission that addresses all applicable state and federal laws, rules and regulations, including, but not limited to, an appropriate build-out plan that includes the use of its own facilities in addition to those obtained through commercial agreements to provide services to unserved and underserved areas.

Budget agrees that it will not seek reimbursement from the Universal Service Administrative Company for resold Lifeline, Link-Up or TLS services purchased through another carrier.

Budget agrees to file and maintain a current electronic version of its tariff on the Commission's website.

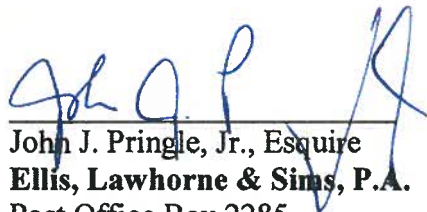
Budget shall comply with all applicable state and federal laws, rules, and regulations regarding ETC designation and reporting requirements. More specifically, Budget agrees to abide by the Commission regulations regarding designation of an eligible telecommunications carrier which became effective on May 23, 2008. Budget also agrees to abide by the Commission regulations regarding annual reporting requirements which became effective June 26, 2009.

The Parties represent that the terms of this Stipulation are based upon full and accurate information known as of the date this Stipulation is executed. If, after execution, either Party is made aware of information that conflicts, nullifies, or is otherwise materially different than that information upon which this Stipulation is based, either Party may withdraw from the Stipulation with written notice to the other Party.

The Office of Regulatory Staff (“ORS”) does not oppose the application of Budget for certification as an eligible telecommunications carrier.

In the event ORS conducts cross-examination of Budget, such cross-examination shall not be inconsistent with the agreed upon terms contained herewith.

On behalf of Budget PrePay, Inc.



John J. Pringle, Jr., Esquire

Ellis, Lawhorne & Sims, P.A.

Post Office Box 2285

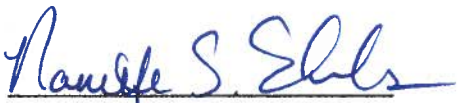
Columbia, SC 29202

Phone: 803-343-1270

Fax: 803-779-4749

jpringle@ellislawhorne.com

On behalf of the Office of Regulatory Staff:



Nanette S. Edwards, Esquire

1401 Main Street, Suite 900

Columbia, South Carolina 29201

Phone: (803) 737-0575

Fax: (803) 737-0895

Email: nsedwar@regstaff.sc.gov

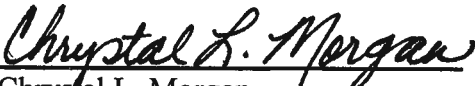
BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-276-C

IN RE:

Application of Budget PrePay, Incorporated)	
d/b/a Budget Phone for Designation as an)	CERTIFICATE OF
Eligible Telecommunications Carrier)	SERVICE
)	

This is to certify that I, Chrystal L. Morgan, have this date served one (1) copy of the **STIPULATION** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

John. J. Pringle, Jr, Esquire
Ellis, Lawhorne & Sims, P.A.
Post Office Box 2285
Columbia, SC, 29202


Chrystal L. Morgan

December 3, 2009
Columbia, South Carolina